

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 33786 of 2015 (W)

PETITIONER:

**DR.SADIQ ALI, S/O. AHAMED ALI, PRESIDENT,
INDIAN DENTAL ASSOCIATION(IDA),
MALAPPURAM BRANCH, SMILE 4 YOU DENTAL CARE,
PANDIKKAD ROAD, MANJERI, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENT(S):

- 1. THE REGISTRAR, KERALA DENTAL COUNCIL,
1ST FLOOR, KUNNUKUZHY P.O., RED CROSS,
THIRUVANANTHAPURAM- 695001.**
- 2. ETHICAL COMMITTEE,
REPRESENTED BY ITS CHAIRMAN,
KERALA DENTAL COUNCIL, 1ST FLOOR,
KUNNUKUZHY P.O., RED CROSS,
THIRUVANANTHAPURAM- 695001.**
- 3. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO DEPARTMENT OF HEALTH,
SECRETARIAT, THIRUVANANTHAPURAM- 695001.**

**R1 & R2 BY ADV. SRI.N.RAGHURAJ, SC
R3 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 33786 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE RECOMMENDATIONS OF THE 2ND RESPONDENT.

**EXHIBIT P2: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT DATED 12.3.2015.**

**EXHIBIT P3: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT DATED 5.3.2015.**

**EXHIBIT P4: TRUE COPY OF THE REPRESENTATION DATED 21.10.2015 SUBMITTED
BEFORE THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.33786/2015**

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Dated this the 26th Day of November, 2015

J U D G M E N T

The petitioner, a dental practitioner and the President of the Indian Dental Association, Malappuram Branch has approached the State by Exhibit P4 representation. This representation, according to the petitioner, is in terms of the Regulation 9.7 of the Revised Dentists (Code of Ethics) Regulation, 2014. petitioners submits that he has raised a complaint against unethical practice carried out by certain dental clinics in Malappuram before the Kerala Dental Council. This complaint was raised on 12/03/2015 and no action has been taken so far by the Council. It is further submitted that in terms of Regulation referred as above, the State Government is competent to take action.

2. I am not expressing anything on the merit of the issue. This Court is of the view that in the light of the Regulation 9.7, an appropriate decision shall be taken by the third respondent on Exhibit P4 after hearing the petitioner as well as respondents 1 and 2 and also the delinquent practitioners referred in the complaint.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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